

PATENT

Customer No.: 22,852

Attorney Docket No.: 08203.0033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Frank BONADIO et al.) Group Art Unit: 3733
Application No.: 10/736,234)) Examiner: Ramana, Anuradha
Filed: December 16, 2003)))
For: SURGICAL DEVICE	Confirmation No.: 3142

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

n re Application of:

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by § 1.17(p).

Copies of Copies of the listed foreign patent documents are attached, and English abstracts have been provided where available. The listed U.S. patent publication is an English-language counterpart to JP 11290327. A copy of the listed U.S. patent publication is not enclosed.

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Applicant respectfully requests that the Examiner consider the listed documents

and indicate that they were considered by making appropriate notations on the attached

Form PTO/SB/08.

This submission does not represent that a search has been made or that no

better art exists and does not constitute an admission that the listed documents are

material or constitute "prior art." If the Examiner applies the documents as prior art

against any claims in the application and Applicant determines that the cited documents

do not constitute "prior art" under United States law, Applicant reserves the right to

present to the Patent Office the relevant facts and law regarding the appropriate status

of such documents.

Applicant further reserves the right to take appropriate action to establish the

patentability of the disclosed invention over the listed documents, should the documents

be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please

charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

Dated: January 7, 2008

Thomas Y. Ho

Reg. No. 61,539

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Bv: